

**To:** Albright, David[Albright.David@epa.gov]  
**From:** Montgomery, Michael  
**Sent:** Thur 4/6/2017 4:52:13 PM  
**Subject:** FW: UIC/APP Standby Trust Agreement

**From:** Consoli, Carla [mailto:CConsoli@lrrc.com]  
**Sent:** Thursday, April 06, 2017 9:31 AM  
**To:** Montgomery, Michael <Montgomery.Michael@epa.gov>; Trevor Baggione <Baggione.Trevor@azdeq.gov>  
**Cc:** Campbell, Rich <Campbell.Rich@epa.gov>; Rebecca Sawyer (rsawyer@excelsiormining.com) <rsawyer@excelsiormining.com>  
**Subject:** RE: UIC/APP Standby Trust Agreement

Michael-

Thank you for letting us know. I will await feedback and input from Rich and from David.

Best regards,

Carla

**Please note: I will be out of the office and generally unavailable from April 10<sup>th</sup> to April 14<sup>th</sup>. If there is anything I can assist you with resolving prior to my departure, please do not hesitate to let me know.**

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**From:** Montgomery, Michael [<mailto:Montgomery.Michael@epa.gov>]  
**Sent:** Thursday, April 06, 2017 9:24 AM  
**To:** Consoli, Carla; Trevor Baggione  
**Cc:** Campbell, Rich  
**Subject:** RE: UIC/APP Standby Trust Agreement

Hi Carla,

Sorry for the slow reply. I will need to check back with David when he is back in the office on Monday. When we last discussed this I believe he was waiting on a response for our HQ for an example. I have also asked Rich Campbell the attorney assigned to make sure we have some follow-up on this. Please copy him on our communications to ensure that we are closely tracking these issues. I have a lot on my plate these days with the transition, thanks for your patience.

Thanks,

**From:** Consoli, Carla [<mailto:CConsoli@lrrc.com>]  
**Sent:** Monday, March 27, 2017 10:26 AM  
**To:** Trevor Baggione <[Baggiore.Trevor@azdeq.gov](mailto:Baggiore.Trevor@azdeq.gov)>; Montgomery, Michael <[Montgomery.Michael@epa.gov](mailto:Montgomery.Michael@epa.gov)>  
**Subject:** RE: UIC/APP Standby Trust Agreement

Trevor- Thank you for your insight.

Michael- please let us know how best to proceed.

Thank you,  
Carla.

**Carla A. Consoli**  
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**From:** Trevor Baggione [<mailto:Baggione.Trevor@azdeq.gov>]  
**Sent:** Monday, March 27, 2017 10:15 AM  
**To:** Consoli, Carla; Michael Montgomery ([Montgomery.michael@epa.gov](mailto:Montgomery.michael@epa.gov))  
**Subject:** RE: UIC/APP Standby Trust Agreement

Hi Carla,

Just touching bases on this. We are looking into what AZ may have done in the past, but really the example should probably come from EPA.

I will let you know what we find.

Thanks,

Trevor

**From:** Consoli, Carla [<mailto:CConsoli@lrrc.com>]  
**Sent:** Monday, March 20, 2017 2:36 PM  
**To:** Michael Montgomery ([Montgomery.michael@epa.gov](mailto:Montgomery.michael@epa.gov)) <[Montgomery.michael@epa.gov](mailto:Montgomery.michael@epa.gov)>; Trevor Baggione <[Baggione.Trevor@azdeq.gov](mailto:Baggione.Trevor@azdeq.gov)>  
**Cc:** Consoli, Carla <[CConsoli@lrrc.com](mailto:CConsoli@lrrc.com)>  
**Subject:** UIC/APP Standby Trust Agreement

Good afternoon Gentlemen!

I hope this note finds you well and enjoying the beginning of Spring.

Excelsior requested my assistance regarding comments made by EPA regarding the bonding requirements to be included in the APP and UIC permits. Specifically, I am looking into EPA's latest comment requesting that if a surety bond is to be provided (which is the preferred FA mechanism in this instance) then Excelsior also is to provide a standby trust agreement. Could one (or both) of you please provide to me a sample of what the agencies have found to be acceptable in this regard in the past? If there is someone else in your respective agencies with whom I should consult, please let me know who and I will connect with that person.

Thank you for your assistance,

Carla.

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